

(JWJx), CLOSED, DISCOVERY

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
(Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:05-cv-08293-FMC –JWJ**

Los Angeles Times Communications LLC v. Department of the
Army et al
Assigned to: Judge Florence–Marie Cooper
Referred to: Magistrate Judge Jeffrey W. Johnson
Cause: 05:552 Freedom of Information Act

Date Filed: 11/23/2005
Date Terminated: 01/29/2007
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**Los Angeles Times Communications
LLC**

represented by **Alonzo B Wickers , IV**
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V.

Defendant

Department of the Army

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Defendant

**US Army Resources and Programs
Agency**

represented by **Tara M La Morte**
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Defendant

**Office of the Assistant Secretary of the
Army Aquisition Logistics and
Technology**

represented by **Tara M La Morte**
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Defendant

Iraq Projects and Contracting Office

represented by **Tara M La Morte**
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| Date Filed | # | Docket Text |
|------------|---|--|
| 11/23/2005 | 1 | COMPLAINT against defendants Iraq Projects and Contracting Office, Department of the Army, US Army Resources and Programs Agency, Office of the Assistant Secretary of the Army Aquisition Logistics and Technology.(Filing fee \$ 250), filed by plaintiff Los Angeles Times Communications LLC.(rrey,) (Entered: 11/30/2005) |
| 11/23/2005 | | 60 Day Summons Issued re Complaint – (Discovery) 1 as to Iraq Projects and Contracting Office, Department of the Army, US Army Resources and Programs Agency, Office of the Assistant Secretary of the Army Aquisition Logistics and Technology. (rrey,) (Entered: 11/30/2005) |
| 11/23/2005 | 2 | CERTIFICATION AND NOTICE of Interested Parties filed by Plaintiff Los Angeles Times Communications LLC. (rrey,) (Entered: 11/30/2005) |
| 11/23/2005 | 3 | RULE 7.1 DISCLOSURE STATEMENT filed by Plaintiff Los Angeles Times Communications LLC identifying Tribune Company as Corporate Parent. (rrey,) (Entered: 11/30/2005) |
| 11/23/2005 | | FAX number for Attorney Karen A Henry, Kelli L Sager, Alonzo B Wickers, IV is 213–633–6899. (rrey,) (Entered: 11/30/2005) |
| 11/23/2005 | | FAX number for Attorney Karlene Worthington Goller is 213–237–3810. (rrey,) (Entered: 11/30/2005) |
| 11/28/2005 | 4 | PROOF OF SERVICE Executed upon addressed to Civil Process Clerk Office of the United States Attorney; Alberto Gonzales, Esquire Attorney General of the United States; Department of the Army; US Army Resources and Programs Agency; Office of the Assistant Secretary of the Army, Acquisition, Logistics, and Technology served on 11/23/2005, answer due 1/22/2006. The Summons and Complaint were served by certified mail, by Federal statute. Service accepted by (name and title not cited). Executed addressed to Iraq Projects and Contracting Office served on 11/23/05, answer due 1/22/06. The Summons and Complaint were served by United States Global Express Mail by Federal statute. Service accepted by (name and title not cited). Original Summons returned. (ir,) (Entered: 11/30/2005) |
| 11/30/2005 | | ALIAS SUMMONS issued 60 days as to Defendants Department of the Army; US Army Resources and Programs Agency; Office of the Assistant Secretary of the Army, Acquisition, Logistics, and Technology; Iraq Projects and Contracting Office (ir,) (Entered: 12/02/2005) |

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| 12/01/2005 | | ALIAS SUMMONS issued 30 days as to Defendants Department of the Army; US Army Resources and Programs Agency; Office of the Assistant Secretary of the Army, Acquisition, Logistics, and Technology; Iraq Projects and Contracting Office (ir,) (Entered: 12/02/2005) |
| 12/02/2005 | 5 | PROOF OF SERVICE Executed upon Civil Process Clerk Office of the United States Attorney; Alberto Gonzalez Attorney General of the United States; Department of the Army; US Army Resources and Programs Agency; Office of the Assistant Secretary of the Army, Acquisition, Logistics and Technology by certified mail and by United States Global Express mail to Iraq Projects and Contracting Office. Original Alias Summons returned. (ir,) (Entered: 12/05/2005) |
| 01/03/2006 | 6 | ANSWER to Complaint (Discovery) 1 filed by Defendants Department of the Army, US Army Resources and Programs Agency, Office of the Assistant Secretary of the Army, Acquisition, Logistics, and Technology, and Iraq Projects and Contracting Office.(ir,) (Entered: 01/05/2006) |
| 01/03/2006 | | FAX number for Attorney Tara M La Morte is 202-616-8202. (ir,) (Entered: 01/05/2006) |
| 01/06/2006 | 7 | MINUTES OF IN CHAMBERS ORDER by Judge Florence-Marie Cooper: Scheduling Conference set for 3/6/2006 09:00 AM. (ama,) (Entered: 01/06/2006) |
| 02/23/2006 | 8 | JOINT Rule 26(f) Report filed; estimated length of trial not indicated. (ir,) (Entered: 02/27/2006) |
| 03/06/2006 | 9 | MINUTES: SCHEDULING CONFERENCE (IN CHAMBERS) Court conferred with counsel for a scheduling conference. Counsel for the defense expects to provide a preliminary Vaughn declaration within the next week. Parties anticipate that the case will be resolved by way of summary judgment. The following briefing schedule was set: Defendants will file their Motion for Summary Judgment by 5/8/06. Plaintiff will file its Motion for Summary Judgment by 5/22/06 by Judge Florence-Marie Cooper Court Reporter: N/A. (ir,) (Entered: 03/07/2006) |
| 04/03/2006 | <u>10</u> | STIPULATION AND ORDER by Judge Florence-Marie Cooper: Parties stipulate to a fourteen-day extension of time to file their respective motions for summary judgment, making Defendants motion due by 5/22/06 and Plaintiffs motion due by 6/5/06.(ir,) (Entered: 04/03/2006) |
| 05/22/2006 | <u>11</u> | STIPULATION AND ORDER by Judge Florence-Marie Cooper: 5/22/06 Deadline for the Department to file and serve its Motion for Summary Judgment. 6/5/06 Deadline for the Times to file and serve its Motion for Summary Judgment and Opposition to the Department Motion for Summary Judgment. 6/19/06 Deadline for the Department to file and serve its Opposition to the Times Motion for Summary Judgment and Reply to the Times Opposition. 7/3/06 Deadline for the Times to file and serve its Reply to the Department Opposition. 7/24/06 Hearing on Cross-Motions for Summary Judgment.(ir,) (Entered: 05/23/2006) |
| 05/22/2006 | 12 | NOTICE OF MOTION Partial Motion to Dismiss for Lack of subject matter Jurisdiction and Motion for Summary Judgment and Memorandum of Points and Authorities in support thereof filed by Defendants . Motion set for hearing on 7/24/2006 at 10:00 AM before Judge Florence-Marie Cooper. Lodged Statement of Uncontroverted Facts, Proposed Judgment. (ir,) (Entered: 05/25/2006) |
| 05/31/2006 | <u>13</u> | STIPULATION AND ORDER by Judge Florence-Marie Cooper: Court hereby orders that the following schedule shall apply to the remaining brief for the parties cross-motions for summary judgment: 6/12/06 Deadline for the Times to file and serve its Motion for Summary Judgment and Opposition to the Departments Motion for Summary Judgment, 6/26/06 Deadline for the Department to file and serve its Opposition to The Times Motion for Summary Judgment and Reply to the Times Opposition; 7/10/06 Deadline for The Time to file and serve its Reply to the Department Opposition; 7/24/06 Hearing on Cross-Motion for Summary Judgment (ir,) (Entered: 06/01/2006) |
| 06/12/2006 | 14 | CONSOLIDATED NOTICE OF MOTION AND MOTION for Summary Judgment and Opposition to Defendants Partial Motion to dismiss and Motion for Summary Judgment; Memorandum of Points and Authorities filed by Plaintiff Los Angeles Times Communications LLC. Motion set for hearing on 7/24/2006 at |

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| | | 10:00 AM before Judge Florence–Marie Cooper. Lodged Proposed Statement, Order and Judgment. (ir,) (Entered: 06/14/2006) |
| 06/12/2006 | | CONSOLIDATED NOTICE OF MOTION AND MOTION for Summary Judgment and OPPOSITION to Defendants Partial Motion to dismiss and Motion for Summary Judgment 12 ; Memorandum of Points and Authorities filed by Plaintiff Los Angeles Times Communications LLC. (ir,) (Entered: 06/14/2006) |
| 06/12/2006 | 15 | STATEMENT of Genuine Issues and Response to Defendants Separate Statement of Uncontroverted Facts and Conclusions of law regarding 12 filed by Plaintiff Los Angeles Times Communications LLC. (ir,) (Entered: 06/14/2006) |
| 06/12/2006 | 16 | OBJECTIONS to Evidence submitted by Defendants in support of Defendants Motion for Summary Judgment 12 filed by Plaintiff Los Angeles Times Communications LLC. (ir,) (Entered: 06/14/2006) |
| 06/12/2006 | 17 | PROOF OF SERVICE via Federal Express filed by Plaintiff Los Angeles Times Communications LLC of Plaintiffs Consolidated Notice of Motion and Motion for Summary Judgment 14 and Opposition to Defendants Partial Motion to dismiss and Motion for Summary Judgment, Separate Statement 15 , Objections to Evidence 16 was served on 6/12/06. (ir,) (Entered: 06/14/2006) |
| 06/12/2006 | 28 | IT IS SO ORDERED by Judge Florence–Marie Cooper: The declarations of Charles Tiefer, Mila Rosenthal, T Christian Miller and Alonzo Wickers IV and exhibits 1–7 filed nunc pro tunc to 6/12/06. The items are filed separately by the Court. The items were lodged on 6/12/06 as attached to the plaintiffs Separate Statement of Uncontroverted Facts and Conclusions of Law in Support of Motion for Summary Judgment. The Separate Statement is ORDERED not filed but PLACED IN FILE NOT USED. (klg,) (Entered: 08/07/2006) |
| 06/14/2006 | 18 | NOTICE OF ERRATA regarding Mila Rosenthal Declaration in support of Plaintiffs Consolidated motion for Summary Judgment 14 filed by Plaintiff Los Angeles Times Communications LLC. (ir,) (Entered: 06/19/2006) |
| 06/26/2006 | 19 | OPPOSITION to Plaintiffs Motion for Summary Judgment 14 and Reply in support of Defendants Motion for Summary Judgment 12 ; Memorandum of Points and Authorities filed by Defendants. (ir,) (Entered: 06/28/2006) |
| 06/26/2006 | 20 | OPPOSITION to Plaintiffs Objections to Evidence submitted by Defendants in support of Defendants Motion for Summary Judgment 12 and Request to strike Defendants Declarations filed by Defendants. (ir,) (Entered: 06/28/2006) |
| 06/26/2006 | 21 | STATEMENT of Genuine Issues regarding Motion for Summary Judgment 12 filed by Defendants. (ir,) (Entered: 06/28/2006) |
| 07/10/2006 | 22 | OBJECTIONS TO SUPPLEMENTAL DECLARATION OF LIEUTENANT COLONEL WALLACE L. DILLON JR re MOTION for Summary Judgment 14 filed by plaintiff Los Angeles Times Communications LLC. (bp,) (Entered: 07/20/2006) |
| 07/10/2006 | 23 | REPLY to defendants' opposition to MOTION for Summary Judgment 14 filed by plaintiff Los Angeles Times Communications LLC. (bp,) (Entered: 07/20/2006) |
| 07/10/2006 | 24 | RESPONSE to defendants' opposition to objectins to evidence re MOTION for Summary Judgment 14 filed by plaintiff Los Angeles Times Communications LLC. (bp,) (Entered: 07/20/2006) |
| 07/17/2006 | | PLACED IN FILE – NOT USED re Plaintiffs Separate Statement of Uncontroverted Facts and Conclusions of law in support of Motion for Summary Judgment; Declarations of Charles Tiefer, Mila Rosenthal, T Christian Miller and Alonzo Wickers IV with Exhibits 1–7; lodged 6/12/06 submitted by Plaintiff Los Angeles Times Communications LLC. (ir,) (Entered: 07/25/2006) |
| 07/20/2006 | | PLACED IN FILE – NOT USED re proposed order submitted by plaintiff Los Angeles Times Communications LLC. (bp,) (Entered: 08/01/2006) |
| 07/20/2006 | | PLACED IN FILE – NOT USED re proposed judgment submitted by plaintiff Los Angeles Times Communications LLC. (bp,) (Entered: 08/01/2006) |

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| 07/20/2006 | | PLACED IN FILE – NOT USED re proposed judgment submitted by defendants' Iraq Projects and Contracting Office, Department of the Army, US Army Resources and Programs Agency, Office of the Assistant Secretary of the Army Aquisition Logistics and Technology. (bp,) (Entered: 08/01/2006) |
| 07/20/2006 | | PLACED IN FILE – NOT USED re defendants' statement of uncontroverted facts and conclusions of law submitted by defendants' Iraq Projects and Contracting Office, Department of the Army, US Army Resources and Programs Agency. (bp,) (Entered: 08/01/2006) |
| 07/24/2006 | <u>25</u> | MINUTES: Hearing of Defendants Motion to dismiss and for Summary Judgment 12 and Plaintiffs Motion for Summary Judgment 14 (In Chambers); Court hears oral argument in the above–referenced motions and takes its ruling UNDER SUBMISSION. Court final order shall be separately issued by Judge Florence–Marie Cooper Court Reporter: Not presnet. (ir,) (Entered: 07/25/2006) |
| 07/24/2006 | <u>26</u> | ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT and ORDER DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT by Judge Florence–Marie Cooper: re MOTION to Dismiss/for Summary Judgment 12 , MOTION for Summary Judgment 14 . The Court has read and considered the moving, opposition, and reply documents submitted in connection with these motions. The matter was heard on July 24, 2006, at which time the parties were in receipt of the Court's Tentative Order. For the reasons and in the manner set forth, the Court GRANTS Defendants' Motion for Summary Judgment and DENIES Plaintiff's Motion for Summary Judgment. Defendants are ordered to submit a proposed judgment, consistent with this Order, to the Court within 20 days of the date of this Order. (ama,) (Entered: 07/25/2006) |
| 08/02/2006 | <u>27</u> | JUDGMENT by Judge Florence–Marie Cooper in favor of Defendants.(ir,) (Entered: 08/03/2006) |
| 01/29/2007 | 29 | MINUTE ORDER (IN CHAMBERS) held before Judge Florence–Marie Cooper : Case should have been closed with Judgment filed 8/2/07. (Made JS–6. Case Terminated.)Court Reporter: not present. (klg,) (Entered: 02/01/2007) |